

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ENTERTAINMENT SOFTWARE  
ASSOCIATION, VIDEO SOFTWARE  
DEALERS ASSOCIATION, and MICHIGAN  
RETAILERS ASSOCIATION,

Plaintiffs,

vs

Case No: 05-73634

Hon. George Caram Steeh

Magistrate Judge Steven D. Pepe

JENNIFER M. GRANHOLM, in her official  
capacity as Governor of the State of Michigan;  
MICHAEL A. COX, in his official capacity as  
Attorney General of the State of Michigan; and  
KYM L. WORTHY in her official capacity as  
Wayne County Prosecuting Attorney,

Defendants.

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**AFFIDAVIT OF DENNIS J. LEVASSEUR IN SUPPORT OF  
APPLICATION FOR ATTORNEYS' FEES AND COSTS**

STATE OF MICHIGAN     )  
                                      )ss  
COUNTY OF WAYNE     )

Dennis J. Levasseur, first being duly sworn, deposes and says that he is competent to testify about and has personal knowledge of the following matters:

1. I am a partner in the Detroit, Michigan law firm of Bodman LLP ("Bodman"), which is local counsel for the plaintiffs in the above-captioned case.

2. I submit this affidavit in support of plaintiffs' application for fees and costs under 28 U.S.C. §1920, 42 U.S.C. §1988, and Fed.R.Civ.P. 54(d).

3. I have primary responsibility for this firm's representation of plaintiffs and I was assisted by Alicia Blumenfeld and Michelle Carter. Our work for plaintiffs consisted primarily of taking responsibility for the filings and other logistical matters, preparation of certain motions (including the motion for expedited hearing), coordinating hearing dates with the Court, and counseling with lead counsel on plaintiffs' legal strategy. Consistent with Fed.R.Civ.P. 11, Bodman attorneys also needed to become familiar with the Act being challenged by plaintiffs and the legal and factual basis for that challenge.

4. I graduated from Wayne State Law School in 1985, where I served as an editor on the Wayne Law Review. After law school, I served for two years as a clerk for the Honorable Stewart A. Newblatt of the United States District Court for the Eastern District of Michigan.

5. I joined Bodman LLP in August 1987 as an associate attorney. I became a partner in January 1993.

6. In addition to Michigan, I am admitted to the United States District Court for both the Eastern and Western Districts of Michigan, the United States Court of Appeals for the Sixth Circuit, and the United States Federal Circuit Court of Appeals.

7 Throughout my entire career at Bodman I have concentrated my practice on complex commercial and corporate litigation and arbitration matters for clients such as the Archdiocese of Detroit, Booth Newspapers (which owns the Ann Arbor News, the Flint Journal and other publications), Burger King Corporation, Comerica Bank, the International Union, United Automobile, Aerospace & Agricultural Impliment Workers of America, National Football League, the John E. Fetzer Institute, Motorola, Symantec Corporation, and Toshiba American Business Solutions

8 I have handled First Amendment and defamation matters for the Archdiocese of Detroit, the City of Grosse Pointe Park, Garnett Outdoor, and Hillsdale College.

9 Alicia Blumenfeld is an associate in Bodman's Detroit office. She is a member of Bodman's Litigation and Alternative Dispute Resolution Practice Group who provided assistance in this matter. She graduated cum laude in 2004 from Harvard Law School. Ms. Blumenfeld is admitted to practice before the United States District Courts for the Eastern and Western Districts of Michigan and the Sixth Circuit Court of Appeals. Ms. Blumenfeld is a member of the Lawyers Committee of the Metropolitan Chapter of the ACLU.

10 Michelle A. Carter is a mid-level associate in Bodman's Detroit office. She is a member of Bodman's Litigation and Alternative Dispute Resolution Practice Group. She graduated in 2002 from Rutgers – Camden School of Law. Prior to joining Bodman in the fall of 2005, Ms. Carter was an associate with the New Jersey law firm of Brown & Connery. Ms. Carter is admitted to practice in Pennsylvania and New Jersey as well as in the United States District Court of New Jersey. Her application to the Michigan bar is pending

11. Bodman charges for the services of its attorneys on the basis of hourly rates that reflect, among other things, their years of practice and experience. The hourly rates for the relevant attorneys are as follows:

<u>Attorney</u>	<u>Date (2005)</u>	<u>Date (2006)</u>
Dennis J. Levasseur	\$320.00	\$335.00
Alicia J. Blumenfeld	\$155.00	\$165.00
Michelle A. Carter	\$165.00	N/A

These hourly rates are the same rates customarily charged clients for services by the listed attorneys at the time that these services were rendered on behalf of plaintiffs in this case. Those hourly rates are at or below those rates charged at the time of other comparable law firms in Detroit, Michigan for services by attorneys of similar levels of experience

12. Attachment A to this Affidavit are itemized billing statements describing the time expended, the services rendered, and the attorney rendering the services. The time entries on Attachment A are recorded by the listed attorneys on or near the date in which the services were rendered in this proceeding and submitted contemporaneously for entry into Bodman's timekeeping systems. To protect privileged communications with the client, or to protect aspects of litigation strategy or attorney mental impressions that are protected from disclosure by the attorney work product doctrine, some time entries have been redacted.

13. The following table summarizes spent by each Bodman attorney in this case:

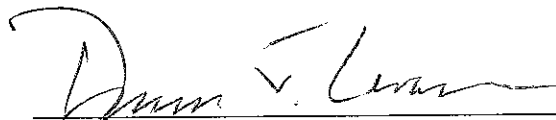
<u>Attorney</u>	<u>Hours in 2005</u>	<u>Hours in 2006</u>
Dennis J. Levasseur	59.75	8.75
Alicia J. Blumenfeld	59.75	9.50
Michelle A. Carter	1.75	0

14. Attachment A to this Affidavit also contains a summary report from Bodman's accounting department of all disbursements that Bodman made on furtherance of this case. I have viewed the costs and expenses listed as disbursements on Attachment A and have verified their accuracy. Attachment B contains documentation of the costs and expenses incurred except

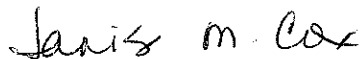
for photocopying, express deliveries, parking and mileage, and the transcript from the preliminary injunction hearing

15 Based on my prior experience with attorney fee applications in civil rights cases (including First Amendment cases) as well as general commercial and corporate litigation, I believe that the hours and expenses itemized in Attachment A were reasonably and necessarily incurred on behalf of plaintiffs in this action.

16 Moreover, based on my 18 years of experience in the private practice of law, I believe that this case was appropriately staffed by Bodman attorneys in relation to the work that its attorneys performed

  
Dennis J. Levasseur

Subscribed and Sworn to before me  
this 14<sup>th</sup> day of April, 2006

  
Janis M. Cox

Notary Public

Wayne County, State of Michigan

My Commission Expires: 6-18-11

**JANIS M. COX  
NOTARY PUBLIC, WAYNE COUNTY, MICHIGAN  
ACTING IN WAYNE COUNTY  
MY COMMISSION EXPIRES: 06/18/2011**

# EXHIBIT A

BODMAN LLP  
 34<sup>TH</sup> FLOOR  
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 DETROIT, MICHIGAN 48243  
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**bodman**  
ATTORNEYS & COUNSELORS

October 14, 2005

Entertainment Software Association  
 Attn: Deborah A Buyer  
 Associate General Counsel  
 317 Madison Avenue, 22nd Floor  
 New York, NY 10017

Re: Michigan Video Game Statute

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			HOURS	AMOUNT
09/10/05	DJL	Discussion with Mr. Smith re venue issues	0.50	160.00
09/13/05	AJB2	Research re legislative history and bills re new videogame regulations; research re: Cyberspace v. Engler	3.25	503.75
09/13/05	DJL	Discussion with Mr. Lewand; email correspondence with Mr. Smith; review status of bills being considered by Granholm	4.00	1,280.00
09/14/05	AJB2	Research re service of process on government officials; preparation of memorandum re same; research re publication of public act; office discussion with Mr. Levasseur regarding same	4.25	658.75
09/14/05	DJL	Telephone discussions with Mr. Smith re status; review draft complaint; continue review of statute; various telephone discussions with Ms. Tenney re filing and related issues; prepare civil coversheet; begin preparation of statement of corporate affiliation and various emails to Ms. Tenney re same	8.00	2,560.00
09/15/05	AJB2	Review of complaint; research re publication of public act.	1.50	232.50

			HOURS	AMOUNT
09/15/05	DJL	Discussion with Ms. Blumenfeld; various discussions with Ms. Tenney re public act; continue review of draft complaint.	1 50	480.00
09/19/05	DJL	Prepare retainer letter; telephone discussions with Ms. Tenney; discussion with Ms. Blumenfeld re filing of complaint; discussion with Mr. Smith	2.00	640.00
09/20/05	AJB2	Research re: public acts	0 50	77 50
09/20/05	DJL	Prepare retainer letter; letter to Ms. Tenney re draft of complaint; continue review of draft complaint	2 50	800.00
09/21/05	AJB2	Office discussion with Mr. Levasseur; telephone calls to the offices of the Attorney General, Governor, and Wayne County Prosecutor re acceptance of service of process; review of complaint; preparation of complaint with exhibit; filing of complaint; preparation of memorandum to process server re service on defendants; exchange of emails with Ms. Tenney re filing of complaint.	5 50	852.50
09/21/05	DJL	Review final draft of motion and brief; organization for filing; discussion with Ms. Tenney; office discussion with Ms. Blumenfeld re research on Judge Steeh; memorandum by Mr. Levasseur on research on Judge Steeh.	2.00	640.00
09/22/05	AJB2	Preparation of motion and brief for expedited hearing and briefing schedule; preparation of first amended complaint; research re error in publication of public acts; preparation for service on defendants; follow-up re service; exchange of emails with Ms. Tenney re error in publication of public acts, first amended complaint, and motion and brief for expedited briefing schedule.	4.75	736.25



			HOURS	AMOUNT
09/22/05	DJL	Discussion with court regarding filing; email to Ms. Tenney regarding complaints; review and revise motions; review complaint as filed; discussions with Ms. Blumenfield regarding service of complaint; discussions regarding amending complaint to correct error cause by state in publication.	1 50	480 00
09/23/05	AJB2	Revision and filing of first amended complaint; preparation and filing of motion and brief for leave to file exhibits in the traditional manner; telephone conversations with various persons at the offices of the Attorney General, Governor and Wayne County Prosecutor re service of complaint and service of motion for preliminary injunction; exchange of e-mails with Ms. Tenney re first amended complaint; telephone conversations with the court about filing of exhibits to motion for preliminary injunction	4 25	658 75
09/23/05	DJL	Review and revise draft motion for expedited hearing and briefing schedule; arrangements for admissions of attorney; begin review of draft of brief and motion for preliminary injunction; conference call with Ms. Tenney and Ms. Fowler; discussion with court regarding electronic filing issues; telephone discussion regarding process served	4 50	1,440 00
09/24/05	AJB2	Review of return receipt from Jeremy Hall at Governor Granholm's office; office discussion with Mr. Levasseur re exhibits to motion for preliminary injunction	0 50	77 50
09/24/05	DJL	Discussions with Ms. Tenney; receipt and review by Mr. Levasseur of final draft of emergency motion; review of exhibits and organization for filing.	2 00	640 00

			HOURS	AMOUNT
09/26/05	AJB2	Preparation of motion for expedited briefing schedule; Preparation of exhibits for motion for preliminary injunction; Left message for Mr. Baughman; Telephone conversation with Jennifer at Governor's Office; Telephone conversation with Mr. O'Brien; Telephone conversation with Mr. Caminsky; Preparation of notice of filing exhibits in the traditional manner; Telephone conversation with Ms. Barton; Exchange of e-mails with Ms. Tenney	7.25	1,123.75
09/26/05	DJL	Review revised emergency motion for expedited briefing; email correspondence with Ms. Fallow re filings; review final versions of briefs and motions; various discussions with Ms. Blumenfeld re filing	3.50	1,120.00
09/27/05	AJB2	E-mail exchange with Ms. Tenney re: amended corporate disclosures; preparation of and filing of amended corporate disclosures; review of appearance filed by Ms. Barton; review of response to emergency motion for expedited briefing schedule; exchange of e-mails with Ms. Tenney re: same; exchange of e-mails with Ms. Tenney re: Eastern District Admission; review of e-mails re: status conference; preparation of enclosure letter to Ms. Tenney	1.50	232.50
09/27/05	DJL	Review appearance; email to co-counsel re same; receipt and review by Mr. Levasseur of opposition to emergency motion to expedite briefing and hearing; email to co-counsel re same; discussion with Mr. Smith re status and various discussions with court re scheduling of a status conference; discussions with Ms. Tenney re same; office discussion with Ms. Blumenfeld re same; receipt of notice of status conference; email correspondence to Ms. Tenney re same	2.50	800.00

			HOURS	AMOUNT
09/28/05	AJB2	Review of applications for admissions to the Eastern District; research [redacted]; preparation of fax to Mssrs. Baughman and Caminsky re status conference; preparation of e-mail to Ms. Tenney re applications for admission to the Eastern District; preparation of enclosure letter to Ms. Tenney	1.25	193.75
09/28/05	DJL	Email correspondence with Mr. Smith re attendance for status conference.	0.25	80.00
09/29/05	AJB2	Preparation of e-mail to Ms. Tenney re admission applications; research [redacted]	0.75	116.25
09/30/05	AJB2	Telephone conversation with Steeh's chambers re admission of Jenner & Block attorneys; e-mail exchange with Ms. Tenney re: same; left messages for Mssrs Baughman and Caminsky	0.50	77.50
09/30/05	DJL	Email correspondence with Mr. Smith re status conference; review bar admissions forms for Jenner & Block attorneys.	0.25	80.00
	Total Fees		70.75	\$16,741.25

Dennis J. Levasseur	35.00 x	320.00 =	11,200.00
Alicia J. Blumenfeld	35.75 x	155.00 =	5,541.25

Admission Fees	600.00
Service of Process Fees	438.00
Express Deliveries	108.30
Fax Charges	1.00
Local Travel Expense	5.00
Photocopies	309.80
Total Expenses	\$1,462.10

TOTAL THIS INVOICE	<u>\$18,203.35</u>
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**bodman**  
ATTORNEYS & COUNSELLORS

October 14, 2005

Entertainment Software Association  
Attn: Deborah A Buyer  
Associate General Counsel  
317 Madison Avenue, 22nd Floor  
New York, NY 10017

Re: Michigan Video Game Statute

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Total Expenses	\$1,462 10
TOTAL THIS INVOICE	\$18,203 35

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November 17, 2005

Entertainment Software Association  
 Attn: Deborah A. Buyer  
 Associate General Counsel  
 317 Madison Avenue, 22nd Floor  
 New York, NY 10017

Re: Michigan Video Game Statute

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			HOURS	AMOUNT
09/13/05	FTL	Conference with Mr. Levasseur.	0.25	98.75
09/19/05	MAC	Office conference between Ms. Carter and Mr. Levasseur re Statement of Disclosure of Corporate Affiliations and Financial Interests; research by Ms. Carter re meaning of term "Substantial Financial Interest"; office conference between Mr. Levasseur and Ms. Carter re same	1.75	288.75
10/01/05	DJL	Receipt and review by Mr. Levasseur of Affidavit of Douglas Lowenstein.	0.25	80.00
10/03/05	DJL	Prepare for, travel to and attend status conference and meeting with Mr. Smith.	3.50	1,120.00
10/04/05	DJL	Review Order of court re scheduling; letter to Mr. Smith re same; facilitate filing of admission card and email to Mr. Lewand re status.	0.50	160.00
10/13/05	DJL	Review motion by defendants to file exhibits in the traditional manner and transmit same to lead counsel.	0.25	80.00
10/14/05	AJB2	Review of defendants' motion for leave to file exhibits in the traditional manner.	0.25	38.75

			HOURS	AMOUNT
10/17/05	AJB2	Review of denial of defendants' motion for leave to file exhibits in the traditional manner; reivew of motions filed by defendants (motion to dismiss, motion to change venue, response to plaintiffs' motion for preliminary injunction); review of appendix filed by defendants; exchange of emails to Mr. Smith, Ms. Fallor, Ms. Tenney and Mr. Levasseur re motions.	2.25	348.75
10/17/05	DJL	Email correspondence with Ms. Tenney re state filing; email correspondence with Mr. Smith and Ms. Tenney re a variety of issues such as Western District judges; discussion with Judge McKeague's chambers re Lansing court and staffing of same; various discussions with Ms. Barton re filing of state's brief and latest set of history; letters to Ms. Barton re same; attention by Mr. Levasseur to review of state's brief in opposition to motion; continued review of state's motions to dismiss for lack of jurisdiction and for change of venue.	4.50	1,440.00
10/18/05	AJB2	Review and organization of exhibits including documenting deficiencies	1.25	193.75
10/18/05	DJL	Email with Ms. Tenney re legislative history; letter to Ms. Tenney re legislative history; review of same.	1.50	480.00
10/19/05	AJB2	Preparation and filing of motion to extend page limit and proposed order; exchange of emails with Ms. Fallow re same; telephone conversation with Ms. Fallow re same; preparation of emails re appearance of Jason Evans	2.50	387.50
10/20/05	AJB2	Exchange of e-mails with Ms. Tenney re requirements for reply brief and court's granting of order to extend page limit	0.50	77.50
10/20/05	DJL	Review draft of motion re reply brief; discussions with Ms. Blumenfeld re same	0.50	160.00
10/21/05	AJB2	Review of affidavit of Gene Wriggelsworth; preparation of email re same.	0.25	38.75

			HOURS	AMOUNT
10/24/05	AJB2	Research re miscellaneous venue questions for Ms. Tenney; revision and filing of reply brief; exchange of emails with Ms. Tenney re same.	3.25	503.75
10/24/05	DJL	Review of status of reply brief and discussions with Ms. Blumenfeld re same	0.50	160.00
10/25/05	DJL	Review reply brief as filed	0.50	160.00
10/26/05	AJB2	Telephone conversation between Ms. Blumenfeld and Ms. Tenney re briefing requirements in the Eastern District of Michigan; preparation of e-mail to Ms. Tenney re same; review of Judge Steeh's order accepting AG's brief; preparation of e-mail re same.	0.50	77.50
10/26/05	DJL	Letter from State re Profer; discussion with Mr. Smith re same; letter from Paul Smith re same	0.50	160.00
10/27/05	AJB2	Preparation and filing by Ms. Blumenfeld of response to motion to change venue and response to motion to dismiss.	2.00	310.00
10/27/05	DJL	Discussion with Ms. Tenney re filing; office discussion between Mr. Levasseur and Ms. Blumenfeld re same.	0.25	80.00
10/28/05	AJB2	Preparation by Ms. Blumenfeld for hearing re motion for preliminary injunction.	0.50	77.50
10/28/05	DJL	Review responses to motion to dismiss and motion for change of venue.	1.00	320.00
10/31/05	DJL	Travel to and attend hearing on motion for preliminary injunction and conference with Mr. Smith and Ms. Buyer.	4.00	1,280.00
Total Fees			33.00	\$8,121.25

Lewand, F. Thomas	0.25 x	395.00 =	98.75
Dennis J. Levasseur	17.75 x	320.00 =	5,680.00
Alicia J. Blumenfeld	13.25 x	155.00 =	2,053.75

Michelle A. Carter 1.75 x 165.00 = 288.75

Lexis Search Expense	129.30
Pacer Serv. Ctr. Search Expense	0.56
Clerk Overtime Expense	108.00
Filing Fees	250.00
Express Deliveries	79.53
Local Travel Expense	29.10
Photocopies	134.20
Postage	95.55
Total Expenses	<u>\$826.24</u>

	TOTAL THIS INVOICE	<u>\$8,947.49</u>
Unpaid invoices		<u>\$18,203.35</u>
	TOTAL AMOUNT DUE	<u>\$27,150.84</u>



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November 17, 2005

Entertainment Software Association  
Attn: Deborah A Buyer  
Associate General Counsel  
317 Madison Avenue, 22nd Floor  
New York, NY 10017

Re: Michigan Video Game Statute

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Total Fees	\$8,121 25
Total Expenses	\$826 24
TOTAL THIS INVOICE	\$8,947 49
Unpaid Invoices	\$18,203 35
TOTAL AMOUNT DUE	\$27,150 84

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December 9, 2005

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 Attn: Deborah A. Buyer  
 Associate General Counsel  
 317 Madison Avenue, 22nd Floor  
 New York, NY 10017

Re: Michigan Video Game Statute

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			HOURS	AMOUNT
10/31/05	AJB2	Conference with Mr. Smith, Mr. Levasseur and Ms. Buyer; preparation for hearing; travel to and attend hearing.	3.50	542.50
11/09/05	AJB2	Receipt of Judge Steeth's opinion; preparation of email to working group re opinion.	0.25	38.75
11/09/05	DJL	Review of order granting motion for preliminary injunction.	0.50	160.00
11/10/05	AJB2	Review of news articles re preliminary injunction.	0.25	38.75
11/10/05	DJL	Review of docket to determine date for timely appeal of order granting motion for preliminary injunction; review email correspondence with Mr. Smith and others re status.	0.25	80.00
11/11/05	AJB2	Review of Judge Steeth's opinion.	0.50	77.50
11/11/05	DJL	Email from Ms. Tenney; discussion with Ms. Tenney; pacer search re status.	0.50	160.00
11/14/05	AJB2	Office discussion with Mr. Levasseur re case status.	0.25	38.75
11/17/05	DJL	Letter from Ms. Barton; email message to Mr. Smith re same.	0.25	80.00

			HOURS	AMOUNT
11/29/05	AJB2	Email exchange with Ms. Tenney and Mr. Levasseur re transcript.	0.25	38.75
11/29/05	DJL	Review email correspondence with Ms. Tanney re transcript.	0.25	80.00
		Total Fees	6.75	\$1,335.00

Dennis J. Levasseur	1.75 x	320.00 =	560.00
Alicia J. Blumenfeld	5.00 x	155.00 =	775.00

Express Deliveries	168.28
Express Deliveries	64.80
Local Travel Expense	41.10
Photocopies	3.00
Total Expenses	\$277.18

	TOTAL THIS INVOICE	\$1,612.18
Unpaid invoices		\$27,150.84
	TOTAL AMOUNT DUE	\$28,763.02

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Total Expenses	\$277.18
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Unpaid Invoices	\$27,150.84
TOTAL AMOUNT DUE	\$28,763.02

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**bodman**  
ATTORNEYS & COUNSELLORS

January 10, 2006

Entertainment Software Association  
 Attn: Deborah A Buyer  
 Associate General Counsel  
 317 Madison Avenue, 22nd Floor  
 New York, NY 10017

Re: Michigan Video Game Statute

---

			HOURS	AMOUNT
12/01/05	AJB2	Preparation of letter to court reporter re transcript fee	0.25	38.75
12/01/05	DJL	Review situation regarding status of transcript from preliminary injunction hearing.	0.25	80.00
12/06/05	DJL	Review of situation with transcript.	0.25	80.00
12/07/05	DJL	Email correspondence with Mr. Helman re summary disposition; research re same.	0.50	160.00
12/07/05	DJL	Email correspondence with Ms. Gallagher re transcript from hearing.	0.25	80.00
12/12/05	AJB2	Research re docket for any notice of appeal.	0.25	38.75
12/12/05	DJL	Email correspondence re status of any appeal.	0.25	80.00
12/19/05	DJL	Email to Amy Tenney re plans; begin review of summary disposition motion.	1.50	480.00
12/20/05	AJB2	Review of motion for summary	0.50	77.50
12/20/05	DJL	Review of summary disposition motion.	0.50	160.00
12/21/05	AJB2	Exchange of e-mails with Ms. Tenney re proof of service and motion for summary; exchange of e-mails with Mr. Hellman re transcripts.	0.50	77.50

			HOURS	AMOUNT
12/21/05	DJL	Continue review of summary disposition brief	1.00	320.00
12/22/05	AJB2	ESA motion filing	3.25	503.75
12/22/05	DJL	Review final version of brief and discussion with Ms. Blumenfeld re filing of same	0.50	160.00
12/23/05	AJB2	Filing motion for summary judgment	1.00	155.00
12/28/05	DJL	Check on status of case by Mr. Levasseur and review of motion and brief as filed	0.25	80.00
	Total Fees		11.00	\$2,571.25

Dennis J. Levasseur	5.25 x	320.00 =	1,680.00
Alicia J. Blumenfeld	5.75 x	155.00 =	891.25

Express Deliveries	10.40
Photocopies	34.40
Transcript	154.00
Total Expenses	\$198.80

	TOTAL THIS INVOICE	\$2,770.05
Unpaid invoices		\$1,612.18
	TOTAL DUE THIS INVOICE	\$4,382.23

BODMAN LLP  
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Page: 1  
Inv #: 237561  
008455 000001 - FTL

FEDERAL IDENTIFICATION NO  
38-1308687

**bodman**  
ATTORNEYS & COUNSELORS

January 10, 2006

Entertainment Software Association  
Attn: Deborah A. Buyer  
Associate General Counsel  
317 Madison Avenue, 22nd Floor  
New York, NY 10017

Re: Michigan Video Game Statute

---

REMITTANCE ADVICE

Total Fees	\$2,571.25
Total Expenses	\$198.80
TOTAL THIS INVOICE	\$2,770.05
Unpaid Invoices	\$1,612.18
TOTAL AMOUNT DUE	\$4,382.23

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REMITTANCE ADVICE WITH YOUR PAYMENT.  
**MAKE CHECKS PAYABLE TO BODMAN LLP.**

**BODMAN LLP**  
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**bodman**  
ATTORNEYS & COUNSELLORS

February 15, 2006

Entertainment Software Association  
 Attn: Deborah A. Buyer  
 Associate General Counsel  
 317 Madison Avenue, 22nd Floor  
 New York, NY 10017

Re: Michigan Video Game Statute

---

			HOURS	AMOUNT
01/03/06	AJB2	Exchange of emails with Ms Fallow re deadline for state to respond to motion	0 25	41.25
01/18/06	AJB2	Receipt of defendants' motions; Preparation of e-mail to working group re defendants' motions.	0 25	41.25
01/18/06	AJB2	Review of motion to extend page limit; exchange of e-mails with working group re same	0 25	41.25
01/18/06	DJL	Review emails concerning recent filings	0 50	167.50
01/19/06	DJL	Receipt and review by Mr. Levasseur of opinion on 12(b)(6) motion; transmit same to client	0.50	167.50
01/20/06	AJB2	Review of orders entered by court.	0.25	41.25
01/20/06	DJL	Review order denying motion for change of venue; review order granting motion to file oversized brief in the traditional manner.	0 25	83.75
01/23/06	AJB2	Review of defendants' response to plaintiffs' motion for summary judgment; Preparation of e-mail to working group re same; E-mail exchange with Ms Fallow and Mr. Levasseur re same	1 75	288.75
01/23/06	DJL	Review of recent orders from court	0 25	83.75



			HOURS	AMOUNT
01/24/06	DJL	Review status of response to motion; email correspondence re same	0.50	167.50
01/25/06	AJB2	Preparation of stipulated order; email exchange with working group re same; preparation of email to Ms. Barton.	0.50	82.50
01/25/06	DJL	Review order re briefs	0.25	83.75
01/26/06	AJB2	Review of email from Ms. Barton; email exchange with working group re stipulated order; conversation with court clerk; viewing of video exhibit	1.00	165.00
01/26/06	DJL	Review of exhibits filed in connection with the response to motion for summary judgment	0.25	83.75
01/27/06	AJB2	Exchange of emails re attempts to contact court re reply/response brief; receipt of cross motion for summary judgment; preparation of email to working group re same	0.50	82.50
01/27/06	DJL	Review situation with combined briefs	0.25	83.75
01/30/06	DJL	Review briefing situation	0.25	83.75
	Total Fees		7.75	\$1,788.75

Dennis J. Levasseur	3.00 x	335.00 =	1,005.00
Alicia J. Blumenfeld	4.75 x	165.00 =	783.75

Express Deliveries	5.20
Photocopies	54.20
Total Expenses	\$59.40

TOTAL THIS INVOICE	\$1,848.15
Less credit on account (duplicate payment)	(\$28,763.02)
<b>CREDIT BALANCE</b>	<b>(26,914.87)</b>

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ATTORNEYS-AT-LAW

February 15, 2006

Entertainment Software Association  
Attn: Deborah A. Buyer  
Associate General Counsel  
317 Madison Avenue, 22nd Floor  
New York, NY 10017

Re: Michigan Video Game Statute

REMITTANCE ADVICE

Total Fees	\$1,788.75
Total Expenses	\$59.40
TOTAL THIS INVOICE	\$1,848.15
Less credit on account (duplicate payment)	(\$28,763.02)
<b>CREDIT BALANCE</b>	<b>(\$26,914.87)</b>

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**bodman**  
ATTORNEYS & COUNSELLORS

March 22, 2006

Entertainment Software Association  
 Attn: Deborah A. Buyer  
 Associate General Counsel  
 317 Madison Avenue, 22nd Floor  
 New York, NY 10017

Re: Michigan Video Game Statute

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			HOURS	AMOUNT
02/01/06	AJB2	Review of notice of hearing; preparation of email to working group re same	0 25	41.25
02/01/06	DJL	Review of notice of hearing	0 25	83.75
02/02/06	AJB2	Preparation of stipulated order; telephone conversation with Ms Fallow re same; email exchange re same; preparation of email re answer to amended complaint.	0.50	82.50
02/02/06	DJL	Review of answer	0 50	167.50
02/06/06	AJB2	Review of letter from Ms Barton re proposed order; Preparation and filing of proposed order; Preparation of e-mail to Ms. Batton re same; Preparation of e-mail to working group re same.	0.75	123.75
02/06/06	DJL	Review of orders and situation concerning reply brief	0 25	83.75
02/08/06	AJB2	Review of stipulated order entered by Court; exchange of e-mails with working group re order; review of notice of filing exhibits in the traditional manner; exchange of e-mails with working group re exhibits	0 50	82.50
02/08/06	DJL	Email correspondence re exhibits; review letter to Ms Fallow re same	0 25	83.75

			HOURS	AMOUNT
02/16/06	AJB2	Telephone conversation with Mr. Hellman re E.D. Mich briefing requirements	0.50	82.50
02/20/06	AJB2	E-mail exchange with Mr. Levasseur and Mr. Hellman re filing.	0.50	82.50
02/21/06	AJB2	Preparation of and filing of response and reply briefs; telephone conversations with Mr. Hellman re same.	1.50	247.50
02/21/06	DJL	Discussion with Ms. Blumenfeld re filing	0.25	83.75
		Total Fees	6.75	\$1,245.00

Dennis J. Levasseur	1.50 x	335.00 =	502.50
Alicia J. Blumenfeld	4.50 x	165.00 =	742.50

Pacer Serv. Ctr. Search Expense	3.04
Express Deliveries	24.35
Photocopies	186.25
Total Expenses	\$213.64

TOTAL THIS INVOICE	<u><u>\$1,458.64</u></u>
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**bodman**  
ATTORNEYS & COUNSELORS

March 22, 2006

Entertainment Software Association  
Attn: Deborah A. Buyer  
Associate General Counsel  
317 Madison Avenue, 22nd Floor  
New York, NY 10017

Re: Michigan Video Game Statute

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REMITTANCE ADVICE

Total Fees	\$1,245.00
Total Expenses	\$213.64
TOTAL THIS INVOICE	\$1,458.64

TO INSURE PROPER CREDIT TO YOUR ACCOUNT PLEASE RETURN THIS  
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**bodman**  
ATTORNEYS & COLLECTORS

April 12, 2006

Entertainment Software Association  
 Attn: Deborah A. Buyer  
 Associate General Counsel  
 317 Madison Avenue, 22nd Floor  
 New York, NY 10017

Re: Michigan Video Game Statute

---

			HOURS	AMOUNT
03/02/06	DJL	Discussion with Ms Blumenfeld; review of reply brief, summary judgment motion response.	0.25	83.75
03/21/06	DJL	Email correspondence with Mr. Smith re hearing.	0.25	83.75
03/22/06	AJB2	Legal research re James case for Mr. Smith.	0.25	41.25
03/22/06	DJL	Travel to and attend hearing on motion for summary judgment; discussions with Ms. Buyer and Mr. Smith re same	3.50	1,172.50
03/23/06	DJL	Email correspondence from Mr. Smith re hearing	0.25	83.75
	Total Fees		4.50	\$1,465.00

Dennis J. Levasseur	4.25 x	335.00 =	1,423.75
Alicia J. Blumenfeld	0.25 x	165.00 =	41.25

Local Travel Expense	19.12
Photocopies	4.60
<b>Total Expenses</b>	<b>\$23.72</b>

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	TOTAL THIS INVOICE	<u>\$1,488.72</u>
Unpaid invoices		<u>\$1,567.39</u>
	TOTAL AMOUNT DUE	<u>\$3,056.11</u>

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**bodman**  
ATTORNEYS & COUNSELORS

April 12, 2006

Entertainment Software Association  
Attn: Deborah A Buyer  
Associate General Counsel  
317 Madison Avenue, 22nd Floor  
New York, NY 10017

Re: Michigan Video Game Statute

REMITTANCE ADVICE

Total Fees	\$1,465 00
Total Expenses	\$23 72
TOTAL THIS INVOICE	\$1,488 72
Unpaid Invoices	\$1,567 39
TOTAL AMOUNT DUE	\$3,056 11

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# EXHIBIT B



Jack Eichenlaub & Associates  
PO Box 806236  
St. Clair Shores, MI 48080-6236  
(586) 260-5355

Invoice Date:  
Invoice #:

9/23/2005  
J18789

Client:

Dennis J. Levasseur  
Bodman LLP  
100 Renaissance Center 34th Floor  
Detroit, MI 48243

# INVOICE

<u>CASE #</u>	<u>CASE NAME</u>	<u>PARTY SERVED</u>	<u>CHARGE</u>
05-73634	Entertainment Software Association vs. Michael A. Cox	Michael A. Cox - Rush Service	\$55.00
05-73634	Entertainment Software Association vs. Michael A. Cox	Jennifer Granholm - Rush Service	\$55.00
05-73634	Entertainment Software Association vs. Michael A. Cox	Kim Worthy - Rush Service	\$55.00
		0.5 Hr. / Time	\$30.00
		Mileage - 188 Miles @ 0.50 per	\$94.00


#J2005

OK  
DSV  
8455-1

Invoice  
Total

\$289.00

(280)



Jack Eichenlaub & Associates  
PO Box 806236  
St. Clair Shores, MI 48080-6236  
(586) 260-5355

Invoice Date:

9/27/2005

Invoice #:

J18801

Client:

Dennis J. Levasseur  
Bodman LLP  
100 Renaissance Center 34th Floor  
Detroit, MI 48243

**INVOICE**

<u>CASE #</u>	<u>CASE NAME</u>	<u>PARTY SERVED</u>	<u>CHARGE</u>
5-73634	Entertainment Software Association vs. Michael A. Cox		
		Rush Delivery to Attorney General	\$55.00
		Mileage - 188 Miles @ 0.50 per	\$94.00

#J2005

OK  
DJL  
8455-01

Invoice  
Total

\$149.00

(280)

PAYABLE TO United States District DATE 9-14-05  
Court Charge to Lewand person  
 CLIENT New Matter - no # yet ACCOUNT CODE: 99999 #  
Entertainment Software Assoc v. Granholm DJL 153 per

ITEM		AMOUNT	
filing fee		250	-
DELIVER TO <u>DJL</u>	PREPARED BY <u>DJL</u>	APPROVED BY <u>DJL</u>	

REV. 10/89

CHECK REQUEST

NO 116956

923.05

ACCOUNT  
CODE:

REV. 10/89

CHECK REQUEST